Idaho UIC Program Revision Package
Element Five:

REVISED PROGRAM DESCRIPTION

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I. Introduction

In 1971 the Idaho Legislature adopted the statutes found in Idaho Code Title 42, Chapter 39 formerly entitled "Waste Disposal and Injection Wells" which declared "...the ground water of the state to be a public resource which must be protected against unreasonable contamination or deterioration of quality to preserve such waters for diversion to beneficial uses…and that in order to do so… it is necessary that the drilling and use of waste disposal and injection wells be controlled as provided in this act."

In 1974 Congress passed the Federal Safe Drinking Water Act (SDWA) which authorized the Environmental Protection Agency (EPA) to create an Underground Injection Control (UIC) program to protect underground sources of drinking water (USDW). Pursuant to this Congressional authorization EPA promulgated Federal UIC regulations that define the five classes of injection wells and set minimum standards that state programs must meet to receive primary enforcement responsibility (primacy) of the UIC Program.

In 1980, through the Idaho Department of Water Resources (IDWR), Idaho promulgated the first UIC rules entitled "Construction and Use of Waste Disposal and Injection Wells – Rules and Regulations" which reinforced the parent statutes adopted in 1971.

In 1985 the State of Idaho applied for and did receive primacy from EPA to administer the UIC program at the state level. The Idaho Department of Water Resources was designated as the sole agency within the State with authorization to regulate UIC wells due to its historic jurisdiction over injection wells.

Since 1985 the Idaho code and regulations pertaining to injection wells have gone through several revisions and updates in response to regulatory changes at the federal and State level. Most recently, and the reason this Program Revision package is necessary, the Idaho statutes found in Title 42, Chapter 39 now entitled "Injection Wells" and the regulations found in the Idaho Administrative Procedures Act (IDAPA) 37.03.03 now entitled "Rules and Minimum Standards for the Construction and Use of Injection Wells" were significantly revised. These revisions included changes to Idaho's existing statutes and rules pertaining to Class V injection wells to make the language more consistent with Federal language, and introducing brand new statutes and rules allowing the use Class II injection wells in Idaho.

II. Program Scope

The requirement for this section is found in 40 CFR 145.23(a)

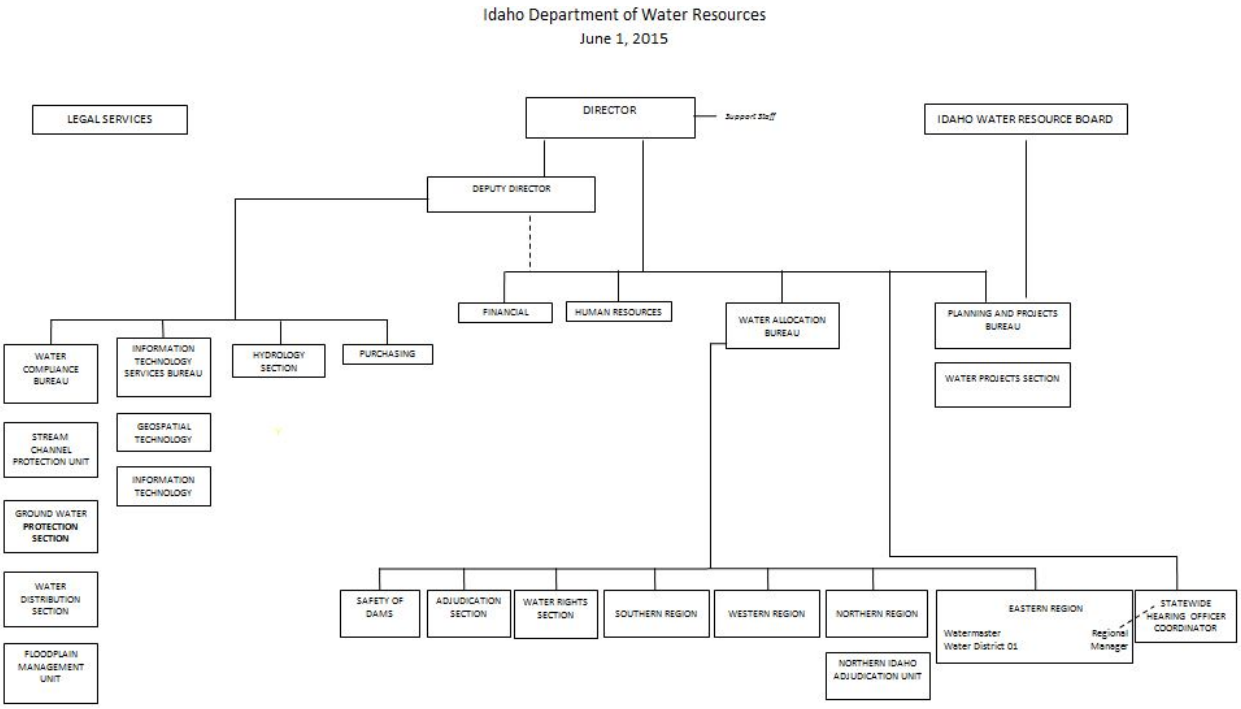
With a few exceptions, the Idaho Department of Water Resources (IDWR) has the authority to regulate all injection wells in Idaho through the Underground Injection Control (UIC) program. The two exceptions are (1) septic system wells exempt from regulation as per 40 CFR 144.81(9) and mirrored in the Idaho rules of IDAPA 37.03.03.040.03(a), and (2) injection wells that are located on Tribal Land which are regulated by the Environmental Protection Agency.

III. Organizational Structure

The requirement for this section is found in 40 CFR 145.23(b)

The organizational structure and hierarchy related to the UIC program is as follows:

- Idaho Department of Water Resources (Director)
  - Water Compliance Bureau (Bureau Chief)
    - Ground Water Protection Section (Manager)
      - UIC program (Hydrogeologist)



IV. Programmatic Procedures

The requirement for this section is found in 40 CFR 145.23(c)

The Idaho UIC program recognizes the six classes of injection wells as defined by the EPA. Currently, the only class of injection wells allowed by state regulations is Class V injection wells. Recent statutory and regulatory revisions added language authorizing the construction and use of Class II injection wells, however, EPA has not yet approved this portion of Idaho's UIC program, hence the submission of this Primacy Revision Package.

Regarding Class V injection wells only, the Idaho UIC program further subdivides this class into a "deep" or "shallow" category based on total excavated depth. The total excavated depth of the injection well determines how the injection well application will be processed: as a permitted injection well or a rule-authorized injection well. The Idaho UIC program has historically has used a depth of eighteen feet (18-ft) as the dividing line between deep and shallow injection wells. A Class V injection well that is less than or equal to 18-ft deep is considered a shallow injection well and is typically processed as a rule-authorized injection well. A Class V injection well that is greater than 18-ft deep is considered a deep injection well and is subject to the permitting process outlined in the regulations. See sections B and C below for more details.

For the curious, as mentioned above the Idaho UIC program uses a depth of 18-ft as the dividing line between shallow and deep Class V injection wells. This depth is used because the rules for the IDWR Well Construction program, which regulates the drilling and construction of water wells, exploratory boreholes, monitoring wells, etc… in Idaho, define a "well" as "An artificial excavation or opening in the ground more than 18-ft in vertical depth below land surface by which ground water of any temperature is sought or obtained." This depth was selected for a practical reason. The standard length of well casing sticks is 20-ft. The IDWR Well Construction rules require a 2-ft stick-up of well casing above the ground surface. If 2-ft of the well casing is above ground, the remaining 18-ft is below ground.

A. Class II Wells

In summary, Class II injection well applications go through the following steps:

- Application is reviewed for completeness
- a draft permit is generated
- public legal notice is given requesting public comments
- approved permit is issued with standard/specific operational conditions

Any person who requires a permit shall complete, sign, and submit to the Director an application for each permit required under the rules. The Director shall not begin the processing of a permit until the applicant has fully complied with the application requirements and the signature and certification requirements found in the rules. The Director shall review for administrative completeness every application for permit to operate an injection well. The Director shall notify the applicant whether the application is administratively complete within ten (10) business days of its receipt. If the application is administratively incomplete, the Director shall list the information necessary to make the application administratively complete and submit this with the notification. The purpose of this review is to determine if the applicant has submitted all of the appropriate forms and information necessary to perform a review for completeness. This initial review is not a technical analysis of the details, rather it is simply a check that all parts of the application are present at which point it is considered complete.

Once an application is complete, the Director shall tentatively decide whether to prepare a draft permit or to deny the application. If the Director tentatively decides to deny the permit application, he or she shall issue a notice of intent to deny. A notice of intent to deny the permit application is a type of draft permit which follows the same procedures as any draft permit prepared under these rules. The applicant may request to meet with the Director, or a designated representative, to review application deficiencies and

be given the opportunity to correct the deficiencies prior to initiating the public notice found in the rules. If the Director's final decision is that the tentative decision to deny the permit application was incorrect, he or she shall withdraw the notice of intent to deny and proceed to prepare a draft permit. If the Director decides to prepare a draft permit, he or she shall prepare a draft permit that contains pertinent general and well-specific operational conditions, all compliance schedules, and all monitoring requirements.

The Director shall then give public legal notice that the permit application has been denied or a draft permit has been prepared and is available for public comment. Public notice of the preparation of a draft permit (including a notice of intent to deny a permit application) required under these rules shall allow at least thirty (30) days for public comment.

After the close of the public comment period on a draft permit, the Director shall issue a final permit decision. The Director shall notify the applicant and each person who has submitted written comments or requested notice of the final permit decision. This notice shall include reference to the procedures for appealing a decision. For the purposes of these rules, a final permit decision means a final decision to issue, deny, modify, revoke and reissue, or terminate a permit.

B. Class V Deep Wells (>18-ft deep)

In summary, Class V deep injection well applications go through the following steps:

- Application is reviewed for completeness
- a draft permit is generated
- public legal notice is given requesting public comments
- approved permit is issued with standard/specific operational conditions

No person shall continue to maintain or use an unauthorized injection well after the effective date given in Section 42-3903, Idaho Code, unless a permit therefor has been issued by the Director. No injection well requiring a permit under Subsection 070.02 shall be constructed, modified or maintained after the effective date given in Section 42-3903, Idaho Code, unless a permit therefor has been issued by the Director. No injection well requiring a permit shall continue to be used after the expiration of the permit issued for such well unless another application for permit therefor has been received by the Director. All applications for permit shall be on forms furnished by the Director.

Each application for permit to construct, modify or maintain an injection well, as required by the rules, shall be accompanied by a filing fee as specified in Section 42-3905, Idaho Code, payable to the Department of Water Resources. For the purposes of the rules, all wells or groups of wells associated with a “Remediation Project” may be administered as one (1) “well” at the discretion of the Director.

An applicant shall submit the following information to the Director for all injection wells to be authorized by permit, unless the Director determines that it is not needed in whole or in part, and issues a written waiver to the applicant:

i. Facility name and location;
ii. Name, address and phone number of the well operator;
iii. Class, subclass and function of the injection well;
iv. Latitude/longitude or legal description of the well location to the nearest ten (10) acre tract;
v. Ownership of the well;
vi. County in which the injection well is located;
vii. Construction information for the well;
viii. Quantity and general character of the injected fluids;
ix. Status of the well;
x. A topographic map or aerial photograph extending one (1) mile beyond property boundaries, depicting:
    (1) Location of the injection well and associated facilities described in the application;
    (2) Locations of other injection wells;

(3) Approximate drainage area, if applicable;
(4) Hazardous waste facilities, if applicable;
(5) All wells used to withdraw drinking water;
(6) All other wells, springs and surface waters.

xi. Distance and direction to nearest domestic well;

xii. Depth to ground water; and

xiii. Alternative methods of waste disposal.

The Director may require the following additional information for Class V injection wells to assess potential effects of injection:

i. A topographic map showing locations of the following within a two (2) mile radius of the injection well:

(1) All wells producing water;
(2) All exploratory and test wells;
(3) All other injection wells;
(4) Surface waters (including man-made impoundments, canals and ditches);
(5) Mines and quarries;
(6) Residences;
(7) Roads;
(8) Bedrock outcrops; and
(9) Faults and fractures.

ii. Additional maps or aerial photographs of suitable scale to accurately depict the following:

(1) Location and surface elevation of the injection well described in this permit;
(2) Location and identification of all facilities within the property boundaries;
(3) Locations of all wells penetrating the proposed injection zone or within a one-quarter (1/4) mile radius of the injection well;
(4) Maps and cross sections depicting all underground sources of drinking water to include vertical and lateral limits within a one-quarter (1/4) mile radius of the injection well, their position relative to the injection zone and the direction of water movement: local geologic structures; regional geologic setting.

iii. A comprehensive report of the following information:

(1) A tabulation of all wells penetrating the proposed injection zone, listing owner, lease holder and operator; well identification (permit) number; size, weight, depth and cementing data for all strings of casing;
(2) Description of the quality and quantity of fluids to be injected;
(3) Geologic, hydrogeologic, and physical characteristics of the injection zone and confining beds;
(4) Engineering data for the proposed injection well;
(5) Proposed operating pressure;
(6) A detailed evaluation of alternative disposal practices;
(7) A plan of corrective action for wells penetrating the zone of injection, but not properly sealed or decommissioned;
(8) Contingency plans to cope with all shut-ins or well failures to prevent the migration of unacceptable fluids into underground sources of drinking waters.

iv. Name, address and phone number of person(s) or firm(s) supplying the technical information and/ or designing the injection well;

v. Proof that the applicant is financially responsible, through a performance bond or other appropriate means, to decommission the injection well in a manner approved by the Director.

The Director may require of any applicant such additional information as may be necessary to demonstrate that the proposed or existing injection well will not endanger a USDW. The Director will not complete the processing of an application for which additional information has been requested until such time as the additional information is supplied. The Director may return any incomplete application and will not process such application until such time as the application is received in complete form.

After all application information is received and evaluated, the Director will prepare a draft permit or denial, which will include the application for permit, permit conditions or reasons for denial, and any compliance schedules or monitoring requirements. In preparing the draft permit or denial, the Director shall consider the following factors:

i. The availability of economic and practical alternative means of disposal;
ii. The application of best management practices to the facilities and/or area draining into the well;
iii. The availability of economical, practical means of treating or otherwise reducing the amount of contaminants in the injected fluids;
iv. The quality of the receiving ground water, its category, its present and future beneficial uses or interconnected surface water;
v. The location of the injection well with respect to drinking water supply wells;
vi. Compliance with the IDAPA 58.01.11, "Ground Water Quality Rule."

The Director will provide public notice of any draft permit to construct, maintain or modify a Class V injection well by means of a legal notice in a newspaper of general circulation in the county in which the well is located. The Director may give additional notice as necessary to adequately inform the interested public and governmental agencies. There shall be a period of at least thirty (30) days following publication for any interested person to submit written comments and to request a fact-finding hearing. The hearing will be held by the Director if deemed necessary.

The Directors of other state agencies, as determined by the Director, shall be provided the opportunity to review and comment on draft permits. Comments shall be submitted to the Director within thirty (30) days of the public or legal notice.

At the Director's discretion, or upon motion of any interested individual, the Director may elect to hold a fact-finding hearing. Said hearing will be held at a location in the geographical area of the injection well. Notice of said hearing will be provided at least thirty (30) days in advance of the hearing by regular mail to the applicant and to the person or persons requesting the hearing. Public notice of the fact-finding hearing will be made by means of press release to a newspaper of general circulation in the county of the application.

The role of the Director is to determine whether or not the injection wells and their respective owners or operators are in compliance with the intent of these rules, thus protecting the ground waters of the state against unreasonable contamination or deterioration of quality and preserving them for diversion to beneficial uses. The Director will consider the following factors in taking final action on draft permits:

i. The likelihood and consequences of the injection well system failing;
ii. The long term effects of such disposal or storage;
iii. The recommendations and related justifications of the Directors of other state agencies and the public;
iv. The potential for violation of ground water quality standards at the point of injection or the point of beneficial use; and
v. Compliance with the Idaho Ground Water Quality Plan.

After considering the draft permit for construction, modification, or maintenance, and all matters relating thereto, the Director shall issue a permit if the standards and criteria of Subsection 070.05 will be met and USDW's will not otherwise be unreasonably affected. If the Director finds that the standards and criteria cannot be met or that ground water sources cannot otherwise be protected from unreasonable

contamination at all times, the draft permit may be denied or a permit may be issued with conditions designed to protect ground water sources. The Director's decision shall be in writing and a copy shall be mailed by regular mail to the applicant and to all persons who commented in writing on the draft permit or appeared at a hearing held to consider the draft permit.

Any permit issued by the Director shall contain conditions to insure that ground water sources will be protected from waste, unreasonable contamination, or deterioration of ground water quality that could result in violations of the ground water quality standards. In addition to specific construction, operation, maintenance and monitoring requirements that the Director finds necessary, each permit shall be subject to the standard conditions and requirements of this rule.

Regarding construction requirements:

i. Well drillers or other persons involved with the construction of any injection well requiring a permit shall not commence construction on the facility until a certified copy of the approved permit is obtained from the Director.
ii. Deep injection wells shall be constructed by a licensed water well driller to conform with the current Minimum Well Construction Standards and the conditions of the permit, except that a driller's license is not required for the construction of a driven mine shaft or a dug hole.
iii. Shallow injection wells authorized by permit shall be constructed in accordance with the conditions of the permit. Rule-authorized shallow injection wells shall be constructed as shown or described in the inventory submittal.
iv. Injection wells shall be constructed to prevent the entrance of any fluids other than specified in the permit.
v. Injection wells shall be constructed to prevent waste of artesian fluids or movement of fluids from one aquifer into another.
vi. When construction or modification of an injection well has been completed, the owner or operator shall inform the Director of completion on a form provided by the Department.
vii. A sampling port shall be provided if the injection well system is enclosed.
viii. All new injection wells constructed into alluvial formations shall have a minimum ten (10) foot separation from the bottom of the well and seasonal high ground water.
    (1) Injection wells installed into fractured basalt are exempt from separation distances.
    (2) The Director may reduce separation distance requirements if the quality of injected fluids are improved through additional treatment or BMPs.
    (3) Heat pump return wells (sub-class 5A7) are exempt from the separation distance requirement of this section.

The length of time that a permit may be in effect for Class V wells requiring permits shall not exceed ten (10) years.

C. Class V Shallow Wells (≤18-ft deep)

As a condition of authorization, all owners or operators of shallow Class V injection wells, including improved sinkholes used for aquifer recharge, that dispose of nonhazardous and nonradioactive wastes are required to submit a Shallow Injection Well Inventory Form to the Department no later than thirty (30) days prior to commencement of construction for each new well or no later than thirty (30) days after the discovery of an existing injection well that has not previously been inventoried with the Department. Forms are available from any Department office or at the Department website at http://www.idwr.idaho.gov.

State or local government entities shall submit the following inventory information for wells associated with highway and street construction and maintenance projects:

i. Facility name and location; and
ii. County in which the injection well(s) is (are) located; and
iii. Ownership of the well(s); and

iv. Name, address and phone number of legal contact; and
v. Type or function of the well(s); and
vi. Number of wells of each type; and
vii. Operational status of the well(s).

For shallow injection wells constructed after July 1, 1997, the Shallow Injection Well Inventory Form shall be accompanied by a fee as specified in Section 42-3905, Idaho Code, payable to the Department of Water Resources. State or local government entities are exempt from Shallow Injection Well Inventory Form filing fees for wells associated with highway and street construction and maintenance, but shall comply with all other requirements of the rules.

If operation of a shallow Class V injection well is causing or may cause unreasonable contamination of a USDW, or cause a violation of the ground water quality standards at a place of beneficial use, the Director shall require immediate cessation of the injection activity. Where a Class V injection well is owned or operated by an entity other than a state or local entity involved in highway and street construction and maintenance, the Director may authorize continued operation of the well through a permit that specifies the terms and conditions of acceptable operation.

Owners or operators of shallow injection wells shall notify the Director not less than thirty (30) days prior to permanent decommissioning of any shallow injection well. Permanent decommissioning shall be accomplished in accordance with procedures approved by the Director.

V. Forms and Permits

The requirement for this section is found in 40 CFR 145.23(d)

The Departments UIC application forms, select permit templates, decommissioning forms, and other forms are presented in Appendix A through D.

Appendix A contains the application forms:

- Deep Injection Well Application form
- Shallow Injection Well Inventory form
- Low-Flow (<50-gpm) Heat Pump Return Flow Injection Well Application form
- Low-Flow (<50-gpm) Heat Pump Return Flow Injection Well: Checklist for Complete Application

Appendix B contains the permit templates:

- Heat Pump Return Flow Injection Well
- Storm Runoff Injection Well
- Agricultural Runoff Waste Injection Well

Appendix C contains the Well Decommissioning forms:

- Prior Authorization to Decommission a Well
- Notice of Completion of Decommissioning a Well

Appendix D contains Other forms used by the UIC program:

- Completion of Construction of an Injection Well
- Change of Ownership
- Injection Well Field Inspection
- Motor Vehicle Waste Disposal Well Inspection form

VI. Compliance Tracking and Enforcement

The requirement for this section is found in 40 CFR 145.23(e)

The Department conducts on-site field inspections of injection wells to:

- determine the operational status of the well
- determine if well maintenance is necessary
- determine if operational conditions are being abided by
- observe possible land use changes in drainage area that have occurred after the previous inspection that may affect the water quality of the injectate

The Idaho UIC program has an established UIC database which is used to track Class V injection wells and, upon EPA approval of this revision package, will also be used to track Class II injection wells. In 2014 the existing IDWR UIC Microsoft Access database was modified to mirror that of the National UIC Database such that the data entry fields and dropdown box options in the existing "Inspections" tab and newly added "Violations" tab fields match.

The Idaho UIC database is used to track information obtained from an on-site field inspection such as the:

- date of inspection
- inspection type
- inspector's name
- potential deficiency needing addressed (deficiency is not always a violation)

The Idaho UIC database is also used to track information on violations associated with a specific injection well such as:

- violation date
- violation type
- enforcement response
- Did contamination occur?
- Does it endanger a USDW?
- When was the violation returned to compliance?

As per Title 42, Chapter 3916 of the Idaho Code:

> "When the director of the department of water resources determines that any person is in substantial violation of any provision of this chapter or any rule, permit, certificate, condition of approval or order issued or promulgated pursuant to this chapter, the director may commence an administrative enforcement action by issuing a written notice of violation in accordance with the provisions of section 42-1701B, Idaho Code. The director shall have the further authority to seek a preliminary or permanent injunction, or both, or a temporary restraining order restraining any person from violating or attempting to violate the provisions of this chapter, of the rules adopted thereunder, or of the permits issued by the director and mandating any person to take action appropriate under the circumstances to correct any violation. In any such action the director need not show irreparable injury for the issuance of a preliminary or permanent injunction, or both, or a temporary restraining order."

The Department also maintains an Enforcement Database which provides additional ability to track enforcement activities for the Department as a whole, including the UIC program. In contrast to the UIC specific database, the Enforcement Database has the ability to track additional information such as:

- Amounts of assessed penalties or fines

- Date assessed penalties or fines were paid
- Pertinent documents

The portion of the Idaho Code that outlines the enforcement procedure for the Department is found in Title 42, Chapter 1701B entitled “Enforcement Procedure – Notice – Consent Order – Civil Action”. See Appendix E for the complete text. This chapter:

- Authorizes the Director to commence enforcement action
- Describes how the violator shall be notified of the enforcement action against him
- Allows the accused an opportunity to reply to the notice of enforcement
- Allows for a compliance conference between the Department and accused
- Allows for the drafting of a Consent Order between the Department and accused
- Describes the procedure for the Director to initiate Civil Enforcement actions
- Outlines the penalties allowed to be assessed

VII. Additional Information

A. Permit Issuing Schedule

The requirement for this section is found in 40 CFR 145.23(f)(1)

The Idaho UIC program will continue to use its existing permit processing procedures and either approve or deny permits within 90-days of receipt. This timeframe is dependent on the receipt of a complete application.

B. Permit Issuance Priority

The requirement for this section is found in 40 CFR 145.23(f)(2)

The Idaho UIC program will prioritize the issuance of permits based on the requirements of IDAPA 37.03.03.048.11 which mirror the federal regulations found in 40 CFR 146.9.

C. Mechanical Integrity Testing

The requirement for this section is found in 40 CFR 145.23(f)(3)

The Idaho UIC program will follow the requirements of IDAPA 37.03.03.054.02, which mirror the federal regulations found in 40 CFR 146.8, when implementing the mechanical integrity testing requirements.

D. Notification of Need for Permit

The requirement for this section is found in 40 CFR 145.23(f)(4)

This is not applicable to Class V wells greater than 18-feet in total depth (deep) because the IDWR has been permitting these wells since 1971.

This is not applicable to Class V wells less than or equal to 18-feet in total depth (shallow) because the IDWR has been inventorying these wells since 1984.

Once discovered, the IDWR will contact the owner of unregistered deep and shallow Class V injection wells and state the legal requirement to register said wells. When the IDWR contacts the injection well owner, it will cite the statutory references found in Title 42, Chapter 3903 and Chapter 3903A of the Idaho Code which declare the need to permit and inventory deep and shallow Class V injection wells.

For Class II injection wells, the IDWR will work directly with the oil and gas company to indicate the need to obtain an approved injection permit their Class II injection wells prior to the well being constructed or prior to converting an existing production well into an injection well. Additionally, the IDWR will continue to share information related to oil and gas well drilling with the Idaho Department of Lands as outlined in the MOU regarding oil and gas matters (See Appendix F).

E. Authorization of Injection

The requirement for this section is found in 40 CFR 145.23(f)(5)

For those Class II and Class V injection wells which require a permit, the statute authorizing injection is found in the first paragraph of Title 42, Chapter 3908 of the Idaho Code which states:

"If the director of the department of water resources determines the use of the proposed or existing injection well will not affect the rights of others to use water for beneficial purposes (he) shall issue a permit approving the construction, modification or continued operation of such well. Such permit shall contain conditions, if any, determined to be necessary to protect the public interest in the ground water resource including, but not limited to, the method and manner of operation of the injection well, the period during which the injection well may be operated, a date when such permit shall expire, and periodic reports to the department of water resources of the quality and quantity of the fluids injected. No deep injection well or shallow injection well, as may be required by rules and regulations adopted under this chapter, shall be used unless a valid permit is in effect in accordance with this chapter."

For those Class V injection wells which are rule authorized, the statute authorizing injection is found in Title 42, Chapter 3903A of the Idaho Code which states:

"Construction and use of shallow injection wells shall be authorized by rules and regulations adopted by the water resource board. Shallow injection wells used for the disposal of nonhazardous and nonradioactive sanitary wastes generated in, on, or in conjunction with a single family noncommercial dwelling are exempt from the authorization requirements of this chapter, but shall be subject to the applicable requirements of the Idaho environmental protection and health act of 1972, sections 39-101, et seq., Idaho Code."

For those Class V injection wells which are rule authorized, the rule authorizing injection is found in IDAPA 37.03.03.070.01(a) which states:

"As a condition of authorization, all owners or operators of shallow Class V injection wells, including improved sinkholes used for aquifer recharge, that dispose of nonhazardous and nonradioactive wastes are required to submit a Shallow Injection Well Inventory Form to the Department no later than thirty (30) days prior to commencement of construction for each new well or no later than thirty (30) days after the discovery of an existing injection well that has not previously been inventoried with the Department."

F. Permitted Well Tracking

The requirement for this section is found in 40 CFR 145.23(f)(7)

The IDWR UIC program has an established UIC database which is used to track Class V injection wells and, upon EPA approval of this revision package, will also be used to track Class II injection wells. In 2014 our existing Microsoft Access database was modified to match that of the National UIC Database allowing the periodic submission of all Idaho UIC digital data to the National UIC Database through the National Exchange Network as authorized by the existing Trading Partner's Agreement between IDWR and EPA.

G. Underground Source of Drinking Water Designation

The requirement for this section is found in 40 CFR 145.23(f)(8)

All ground waters of the state are considered underground sources of drinking water (USDW). The Idaho Department of Environmental Quality (DEQ) is the state agency with the authorization to categorize the aquifers of the state. The DEQ rule found in IDAPA 58.01.11 "Ground Water Quality Rule", subsection 006.03 states:

***"Categorization of Ground Water**. The policy of the state of Idaho is to provide differential protection for the state's ground water resources. A ground water categorization system should be established for aquifers or portions of aquifers. The categorization system should be based on*

vulnerability of the ground water, existing and projected future beneficial uses of the ground water, existing quality of the ground water, and social and economic considerations."

There are currently three possible categories Idaho aquifers can be placed into. Table 1 below lists the three categories, the level of protection provided for in the rules, and which numeric water quality standards may be applied.

Table 1. Level of Protection and Application of Standards to Aquifer Categories

Category	Level of Protection	Application of Standards
Sensitive Resource	Apply best management practices and best available methods. This category provides the highest level of ground water protection.	May apply stricter standards than in Section 200.
General Resource	Apply best management practices and best practical methods to the maximum extent practical.	Apply numerical and narrative standards in Section 200.
Other Resource	Apply best management practices and best practical methods to the maximum extent practical.	May apply less strict standards than in Section 200.

As a default starting position, all aquifers of the state are categorized as a "general resource". Only one aquifer in Idaho has been re-classified as a "sensitive resource" and it is named the Rathdrum Prairie aquifer and is the source of water for the city of Coeur d' Alene in northern Idaho.

H. Ban on Class IV Wells

The requirement for this section is found in 40 CFR 145.23(f)(10)

Title 42, Chapter 3902A of the Idaho Code prohibits the use of an existing injection well or the construction of a new injection well to be used for the injection of hazardous or radioactive waste into or above a drinking water source.

Idaho rule found in IDAPA 37.03.03.040.02(a) prohibits the permitting, construction or use of any Class I, III, IV, or VI injection well.

I. Class V Well Regulation and Tracking

The requirement for this section is found in 40 CFR 145.23(f)(11)

The IDWR UIC program has an established UIC database which is used to track Class V injection wells and, upon EPA approval of this revision package, will also be used to track Class II injection wells. In 2014 our existing Microsoft Access database was modified to match that of the National UIC Database allowing the periodic submission of all Idaho UIC digital data to the National UIC Database through the National Exchange Network as authorized by the existing Trading Partner's Agreement between IDWR and EPA.

The need to regulate injection wells in the State of Idaho has been a statute since 1971 and is stated in Title 42, Chapter 3901 of the Idaho Code entitled "Ground Water as a Public Resource – Protection" which reads as follows:

"The legislature of the state of Idaho hereby declares the ground water of this state to be a public resource which must be protected against unreasonable contamination or deterioration of quality to preserve such waters for diversion to beneficial uses; that in order to protect such waters

against contamination or deterioration in quality it is necessary that the construction and use of injection wells be controlled as provided in this chapter."

J. Sensitive Ground Water Area Delineation

The requirement for this section is found in 40 CFR 145.23(f)(12)

No additional sensitive ground water areas are being designated as part of this Primacy Revision package. All known ground water flow systems in Idaho are current or potential sources of drinking water and will be managed as such. The UIC statutes and rules are applicable in all jurisdictional areas in the entire state excluding lands within Tribal Nation boundaries.

VIII. Appendices

A. Application Forms

A1. Deep Injection Well Application form

42-39-1
02/2014

Permit No. _____

APPLICATION FOR PERMIT TO CONSTRUCT, MODIFY OR MAINTAIN AN INJECTION WELL

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., PO Box 83720, Boise, ID 83720-0098
Under the Provisions of Title 42, Chapter 39 of the Idaho Code

I. INFORMATION REQUIRED FOR ALL INJECTION WELLS

A. Application Type:

☐ New Injection Well Operating Permit (A Drilling Permit is also required prior to construction)
☐ Permit to Modify an Existing Injection Well
☐ Renew Operating Permit of an Existing Injection Well

B. Legal Owner:

Name _____
Organization Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____

**If the property will change ownership soon, provide contact information for future owner:
_____

C. Well Location:

Facility Name _____
Address _____
City _____ State _____ Zip Code _____
County _____ Facility Phone No. _____

Provide one of the following two options:

1) GPS Location (Datum = WGS84):
Latitude _____ Longitude _____

(You can check the accuracy of your GPS data with the "Well Diller's Locator Tool" here: http://maps.idwr.idaho.gov/locator/default.aspx)

2) A USGS Topographic Map or aerial photo with the well location marked **and** Township, Range, Section information.

Township	Range	Section	¼, ¼, ¼ Section	¼, ¼ Section	¼ Section

(Get free maps using this tool: http://maps.idwr.idaho.gov/IrrigationRightsFinder)

D. Well Operation:

Frequency of Injection: ☐ Continuous (24 hr/day, 7 day/wk) ☐ Intermittent

Maximum Average Weekly Rate _____ ☐ cfs ☐ gpm
(guidance attached)

E. Injection Well Classification: (Circle the proper code. In PDF version use: Tools → Comments & Markup → Oval Tool)

Code:	Injection Activity Associated With:	Code:	Injection Activity Associated With:
5A5	Electric Power Generation	5W10	Cesspools
5A6	Geothermal Heat (Source H_2O Temp > 85° F)	5W11	Septic Systems (General)
5A7	Closed-Loop Heat Pump Return (Source H_2O Temp < 85° F)	5W12	Water Treatment Plant Effluent
5A8	Aquaculture Return Flow	5W20	Industrial Process Water
5A19	Cooling Water Return (Industrial Cooling)	5W31	Septic Systems (Well Disposal)
5B22	Saline Water Intrusion Barrier	5W32	Septic Systems (w/ Drainfield)
5D2	Storm Water Runoff (Roadway/Pavement Drainage)	5X13	Mine Tailing Backfill
5D3	Improved Sinkholes	5X14	Solution Mining
5D4	Industrial Storm Runoff (Building/Pavement Drainage)	5X15	In-Situ Fossil Fuel Recovery
5F1	Agricultural Runoff Waste (Agricultural Drainage)	5X16	Spent Brine Return Flow
5G30	Special Drainage Water (Rarely Used)	5X25	Experimental Technology
5N24	Low-Level Radioactive Waste	5X26	Aquifer Remediation
5R21	Aquifer Storage & Recharge	5X27	Other Wells (Rarely Used)
5S23	Subsidence Control	5X28	Service Station Wells (Motor Vehicle Waste Disposal)
5W9	Untreated Sewage	5X29	Abandoned Drinking Wells (Converted from Domestic)

F. Well Construction Information: (Attach well log, if available)

☐ As Built ☐ Expected Construction ☐ Well Modification

Total Well Depth: _____ (ft)

Well Casing: Diameter _____ (in) Depth _____ (ft)

Ht. above Ground Surface _____ (ft) Casing Type _____

Perforation: From _____ (ft) To _____ (ft)

Surface Seal: Depth _____ (ft) Seal Type _____

Construction Date (Indicate Actual, Approximate or Anticipated): _____
Driller's Name: _____

For well modifications describe purpose and intended changes:
_____
_____

G. Adjacent Features:

Depth to Groundwater _____ (ft) ☐ Estimate ☐ Measured Date Measured _____

Distance to Nearest Domestic Well _____ (ft) Direction _____

42-39-1
02/2014

II. INFORMATION REQUIRED ONLY FOR HEAT EXCHANGE (CLASS 5A7) INJECTION WELLS

Please check all of your domestic uses served by your groundwater well:

☐ Household ☐ Irrigation (≤ ½ acre) ☐ Livestock
☐ Heat Pump ☐ Other _____

What is your total domestic groundwater usage? _____ Gallons Per Day
(Guidance on page 6)

Are you connected to a city or community drinking water system? ☐ Yes ☐ No

Do you have a water right for the heat pump? ☐ Yes ☐ No Water Right # _____

Have you applied for a water right for the heat pump? ☐ Yes ☐ No Water Right Application # _____

* Attach documentation from your heat pump manufacturer that indicates how many gallons per day your heat pump will use during peak heating and cooling days.

** Applicants seeking permits for a Heat Exchange Injection Well can skip Section III.

III. INFORMATION REQUIRED FOR ALL INJECTION WELLS, EXCEPT HEAT EXCHANGE (CLASS 5A7) INJECTION WELLS

A. Alternative Methods to Injection Well Use:

Describe alternatives to the use of an injection well for waste disposal _____

Why were the above alternative methods rejected? _____

B. Water Treatment Prior to Injection:

☐ None ☐ Chemical Treatment ☐ Ultra-Violet Treatment
☐ Settling Pond ☐ Filtration
☐ Other _____

C. Is this injection well part of a contamination remediation system? ☐ Yes ☐ No
If yes, please attach a copy of the signed regulatory approval for the remediation action, description of the remediation system, and intended use of the injection well.

D. Constituents in Waste Stream:

☐ None ☐ Hazardous wastes ☐ Automotive fluids ☐ Pesticides
☐ Herbicides ☐ Other additives or chemicals _____

E. Attach a topographic map or aerial photo showing a one-mile radius of the injection well. Identify the following on the map/photo:

1. Location of the injection well.
2. Location of domestic wells.

You can use the IDWR Well Drillers' Locator to map the existing wells near your location by:

- Open the Well Drillers' Locator: http://maps.idwr.idaho.gov/locator/default.aspx
- Enter your GPS location into the "Find a Location in Idaho" window. The map will zoom to that location and mark it with a yellow dot.
- Click the down-arrow on the zoom slider button twice (upper left corner of the map) to zoom out. You should now see a map which shows all wells within a one-mile radius of your site
- Click "Wells", in the list of layers on the right side of the map
- Click the "Print Map" button on the left side of the map

IV. SIGNATURE OF LEGAL OWNER

I hereby submit this Application for Permit to Construct or Maintain an Injection Well. The information herein is true and correct to the best of my knowledge.

Date	Signature	Title

Print Name

V. PROCESSING FEE

A $100.00 processing fee must be submitted for each permit application. A separate permit application and processing fee must be submitted for each injection well. Make checks payable to: Idaho Department of Water Resources.

All sections of this form must be complete and accurate. Incomplete forms will be returned to applicant. The information submitted is subject to verification by IDWR or its agents. Applications and fees can be submitted your nearest IDWR office:

IDWR Northern Region
7600 N Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
Ph: (208) 762-2800

IDWR Southern Region
650 Addison Ave., Suite 500
Twin Falls, ID 83301
Ph: (208) 736-3033

IDWR Eastern Region
900 North Skyline
Idaho Falls, ID 83402
Ph: (208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705
Ph: (208) 334-2190

IDWR State Office
322 East Front St., PO Box 83720
Boise, ID 83720-0098
Ph: (208) 287-4800.

8/2009

UIC Program Guidance
For
Calculating the Average Weekly Injection Rate

The UIC Program does not dictate what method you use to calculate the Average Weekly Injection Rate for your injection well. The following are options you can use to make your calculation or for guidance to develop your own method. Document your calculation by using one of the options below or attaching your calculation. This information is required in Section I.D.

Example 1 – Heat Pump (Injection well class 5A7)

Pumping rate of heat pump in gallons per minute (gpm)		Hours per day heat pump will run on coldest day of year		Number of days per week heat pump will run during week coldest day occurs		Constant to convert to gallons per minute (gpm)		Average Weekly Injection Rate (gpm)
8 gal/min	x	18 hours/day	x	7 days/wk	x	0.00595 wks/hour	=	6.0 gpm
	x		x		x		=	
	x		x		x		=	

Example 2 – Sprinkler Irrigation Return Flow (Injection well class 5F1)

Number of acres drained		Volume of water applied		% waste water		Constant to convert to gallons per minute (gpm)		Average Weekly Injection Rate
40 acres	x	9 gal/min/acre X 10080 min/wk	x	0.05	x	0.000099 wk/min	=	18 gpm
	x		x		x		=	
40 acres	x	0.02 ft^3/sec/acre x 604800 min/wk	x	0.05	x	0.0000017 wk/min	=	0.04 cfs
	x		x		x		=	
	x		x		x		=	

Example 3 – Theoretical Calculation of Flow Through a Pipe

The calculation used to generate this table assumes unrestricted flow through a well casing of the designated size. The calculation represents the maximum injection rate that is theoretically possible, which may be significantly larger than the subsurface will actually allow. Using this calculation will result in a relatively large radius of influence, which may cause your permit to include a monitoring requirement.

Well Diameter	Average Weekly Injection Rate
6”	2.5 cfs
8”	4.4 cfs
10”	6.8 cfs
12”	9.8 cfs
14”	13.4 cfs

8/2009

UIC Program Guidance
For
Calculating Total Domestic Water Use
For Permitting a Ground-Source Heat Pump

Idaho Code (42-111 & 42-227) defines domestic water use and states that a water right is not required for domestic use, provided that the volume of water does not exceed 13,000 gallons per day. When permitting an injection well for a ground-source heat pump, the UIC Program must determine if the use of a heat pump will cause a homeowner to exceed the 13,000 gallon per day limit for a domestic water right exemption. If domestic water use is anticipated to exceed 13,000 gallons per day, the applicant must obtain a water right before the injection well permit can be issued by IDWR.

The following table should be completed to document your calculation of total domestic water use for Section II of your injection well application.

Use	**Gallons Per Day Per Person**		**Number of People**		**Total Gallons Used Per Day**
Single Family Residence	75	x		=	
Luxury Residence	150	x		=	
Use	**Gallons Per Day Per Animal**		**Number of Animals**		
Cattle	12	x		=	
Dairy Cattle	35	x		=	
Horses	12	x		=	
Mules	12	x		=	
Hogs	4	x		=	
Goats	2	x		=	
Sheep	2	x		=	
Other Livestock		x		=	
Use	**Gallons Per Day Per 100 Animals**		**Number of Animals**		
Chickens	10	x		=	
Turkeys	18	x		=	
Other Poultry		x		=	
Use	**Gallons Per Day Per 1 Acre at 9 gpm**		**Number of Acres**		
Irrigation	12,960	x		=	
Use	**Average Weekly Injection Rate (gpm)** See Page 5 Guidance – Example 1		**Minutes Per Day**		
Heat Pump		x	1440	=	
Other Uses	**Gallons Per Day**				
			Total Gallons Per Day Used		

A2. Shallow Injection Well Inventory form

42-39-6
10/2010

Inventory No. (Agency Use Only) _____

SHALLOW INJECTION WELL INVENTORY FORM

Under the Provisions of Title 42, Chapter 39 of the Idaho Code

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., P.O. Box 83720, Boise, ID 83720-0098

See page 4 of this form for General Instructions

I. GENERAL INFORMATION

A. Applicant Name and Address (Current Owner):

Applicant Name _____
Business Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____
Email _____

B. Facility Information:

Facility or Subdivision Name _____
Street Address _____
Lot _____ Block _____ Addition _____
City _____ Zip Code _____ County _____
Facility Phone No. _____

C. Project Engineer:

Name _____
Engineering Firm Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____

E. Injection Well Classification: (Circle the proper code. In PDF version use: Tools → Comments & Markup → Oval Tool)

Code:	Injection Activity Associated With:	Code:	Injection Activity Associated With:
5A5	Electric Power Generation	5W10	Cesspools
5A6	Geothermal Heat (Source H_2O Temp > 85° F)	5W11	Septic Systems (General)
5A7	Closed-Loop Heat Pump Return (Source H_2O Temp < 85° F)	5W12	Water Treatment Plant Effluent
5A8	Aquaculture Return Flow	5W20	Industrial Process Water
5A19	Cooling Water Return (Industrial Cooling)	5W31	Septic Systems (Well Disposal)
5B22	Saline Water Intrusion Barrier	5W32	Septic Systems (w/ Drainfield)
5D2	Storm Water Runoff (Roadway/Pavement Drainage)	5X13	Mine Tailing Backfill
5D3	Improved Sinkholes	5X14	Solution Mining
5D4	Industrial Storm Runoff (Building/Pavement Drainage)	5X15	In-Situ Fossil Fuel Recovery
5F1	Agricultural Runoff Waste (Agricultural Drainage)	5X16	Spent Brine Return Flow
5G30	Special Drainage Water (Rarely Used)	5X25	Experimental Technology
5N24	Low-Level Radioactive Waste	5X26	Aquifer Remediation
5R21	Aquifer Storage & Recharge	5X27	Other Wells (Rarely Used)
5S23	Subsidence Control	5X28	Service Station Wells (Motor Vehicle Waste Disposal Wells)
5W9	Untreated Sewage	5X29	Abandoned Drinking Wells (Converted from Domestic)

II. TECHNICAL DATA

A. Injection Well Name or ID from Construction Plans: _____

B. Injection Well Design:

☐ Infiltration Gallery ☐ French Drain ☐ Pre-cast Open Bottom Dry Well
☐ Cased Injection Well ☐ Other _____
(include drawing with form)

Construction Date (indicate Actual, Approximate or Anticipated): _____

C. Pre-Treatment:

☐ Sediment Basin ☐ Sand Filtration ☐ Vegetative Filter Strip or Swale
☐ Oil & Grease Trap ☐ Sand & Grease Trap ☐ Other _____

D. Injection Well Dimensions:

Length _____ (ft) Width _____ (ft) Depth _____ (ft)

III. LOCATION INFORMATION

A. Well Location: (Provide one of the following two options)

1) GPS Location (Datum = WGS84):
Latitude _____ Longitude _____

(You can check the accuracy of your GPS data with the "Well Diller's Locator Tool" here: "http://maps.idwr.idaho.gov/locator/default.aspx")

2) A USGS Topographic Map or aerial photo with the well location marked **AND** Township, Range, Section information.

Township	Range	Section	¼, ¼, ¼ Section	¼, ¼ Section	¼ Section

(Get free maps using this tool: http://maps.idwr.idaho.gov/IrrigationRightsFinder)

B. If State or Local Highway Entity:

Distance _____ Direction ____ To Milepost No. _____ Hwy. No. _____

☐ East Bound Lane ☐ West Bound Lane ☐ Median

C. Is the Well/Facility Located on Indian Lands? ☐ Yes ☐ No

IV. WELL OPERATION

A. Constituents in Waste Stream:

☐ None ☐ Hazardous wastes ☐ Automotive fluids

☐ Pesticides ☐ Herbicides

☐ Other additives or chemicals _____

B. Is the injection well part of with a contamination remediation system? ☐ Yes ☐ No
If yes, please attach a copy of the signed regulatory approval for the remediation action and intended use of the injection well.

V. ATTACHMENTS (Attach additional sheets as needed)

☐ Site Maps Showing Well Locations

☐ Design Plans and Other Drawings or Schematics

☐ For Remediation Projects: Project Summary including Geology, Analysis Results, Projection Description, Target Depth, and other applicable information.

☐ If using BMP, Name of Agency and Technical Guidance Citation

_____

☐ Other _____

VI. CERTIFICATION

I certify under penalty of law that there are no discharges of hazardous substances or other fluids in amounts that may endanger an underground source of drinking water from the injection well(s) identified on this inventory form.

Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

All sections of this form must be complete and accurate. Incomplete forms will be returned to applicant. The information submitted is subject to verification by IDWR or its agents.

Date	Signature	Title
_____	_____	_____

_____
Print Name

A3. Low-Flow (<50-gpm) Heat Pump Return Flow Injection Well Application form

42-39-2
2/2014

Permit No. _____

APPLICATION FOR PERMIT TO CONSTRUCT OR MODIFY A LOW-FLOW (<50 GPM) HEAT PUMP INJECTION WELL (5A7 ONLY)

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., PO Box 83720, Boise, ID 83720-0098
Under the Provisions of Title 42, Chapter 39 of the Idaho Code

I. GENERAL INFORMATION

A. Application Type:

☐ New Injection Well Operating Permit (A Drilling Permit is also required prior to construction)
☐ Permit to Modify an Existing Injection Well

B. Legal Owner:

Name _____
Organization Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____

**If the property will change ownership soon, provide contact information for future owner:
_____

C. Well Location:

Facility Name _____
Address _____
City _____ State _____ Zip Code _____
County _____ Facility Phone No. _____

Provide one of the following two options:

1) GPS Location (Datum = WGS84):
Latitude _____ Longitude _____

(You can check the accuracy of your GPS data with the "Well Diller's Locator Tool" here: http://maps.idwr.idaho.gov/locator/default.aspx)

2) A USGS Topographic Map or aerial photo with the well location marked **and** Township, Range, Section information.

Township	Range	Section	¼, ¼, ¼ Section	¼, ¼ Section	¼ Section

(Get free maps using this tool: http://maps.idwr.idaho.gov/IrrigationRightsFinder)

D. Well Operation:

Frequency of Injection: ☐ Continuous (24 hr/day, 7 day/wk) ☐ Intermittent

Maximum Average Weekly Rate _____ ☐ cfs ☐ gpm

42-39-2
2/2014

E. Well Construction Information: (Attach well log, if available)

☐ As Built ☐ Expected Construction ☐ Well Modification

Total Well Depth: _____ (ft)

Well Casing: Diameter _____ (in) Depth _____ (ft)

Ht. above Ground Surface _____ (ft) Casing Type _____

Perforation: From _____ (ft) To _____ (ft)

Surface Seal: Depth _____ (ft) Seal Type _____

Construction Date (Indicate Actual, Approximate or Anticipated): _____
Driller's Name: _____

For well modifications describe purpose and intended changes:
_____
_____

F. Adjacent Features:

Depth to Groundwater _____ (ft) ☐ Estimate ☐ Measured Date Measured _____

Distance to Nearest Domestic Well _____ (ft) Direction _____

II. WATER USAGE INFORMATION

A. Attach documentation from your heat pump contractor that indicates how many gallons per day your heat pump will use during peak heating and cooling days.

B. What is the approximate square footage of the structure served by the heat pump? _____

C. Please check all of your domestic uses served by your groundwater well:

☐ Household ☐ Irrigation (≤ ½ acre) ☐ Livestock

☐ Heat Pump ☐ Other _____

What is your total domestic groundwater usage? _____ Gallons Per Day
(Guidance on page 5)

Are you connected to a city or community drinking water system? ☐ Yes ☐ No

Do you have a water right for the heat pump? ☐ Yes ☐ No Water Right # _____

Have you applied for a water right for the heat pump? ☐ Yes ☐ No Water Right Application # _____

III. CONDITIONS OF APPROVAL

1. This injection well is administered under IDAPA 37.03.03, Rules and Regulations for the Construction and Use of Injection Wells, and IDAPA 37.03.09, Well Construction Standards & Rules.

2. The facility owner and operator bear sole responsibility to mitigate for harm or degradation resulting from the injection activities authorized in this permit.

3. Violating the water quality standards stated in IDAPA 37.03.03.050, degrading the quality of the groundwater, or impacting a beneficial use of groundwater resources through the use of this injection well is prohibited and is cause for cancellation of this permit.

4. In the event that existing or future points of diversion for beneficial use are suspected by IDWR of being contaminated by injection activities at this well, IDWR will require that injection activities at this well cease immediately. Burden of proof that injection activities at this well are not contaminating existing or future points of diversion is the responsibility of the injection well owner.

5. Approval of this permit does not authorize diversion or beneficial use of water. This permit is not a Water Right nor does approval of this permit guarantee the approval of any Water Right being sought for this well.

6. The system must be closed to the surface to prevent contamination of the injectate. A protected air vent may be installed if needed, and a sampling port is required.

7. The injectate entering this well must be restricted to heat exchange unit return water. Prior approval from the IDWR UIC Program is required for the use of additives.

8. Discharge water from the heat exchange unit into the well is recommended to be delivered via a drop pipe that terminates below the static water level in the well. Seasonal fluctuations in groundwater levels should be considered when determining the depth of the drop pipe to insure that the outflow end is submerged at all times. A pitless adaptor should be used to create a watertight seal between the drop pipe and conductance pipe delivering water to the well to prevent contamination of the discharge water.

9. The temperature of injected water must be maintained below 85° F. If the injectate temperature exceeds 85° F, the Department of Water Resources must be notified within 48 hours of the increased injectate temperature.

10. If at any time use of this injection well is not desired, the owner/operator must contact the IDWR UIC Program to obtain approval prior to decommissioning activities commence.

11. A well log must be submitted to IDWR within thirty (30) days of the construction of new injection wells.

IV. SIGNATURE OF LEGAL OWNER

I certify under penalty of law that there are no discharges of hazardous substances or other fluids in amounts that may endanger an underground source of drinking water from the injection well(s) identified on this application form.

I have read and understand the Conditions of Approval for the operation of this injection well. Additionally, I certify under penalty of law that this document and all attachments were prepared under my direction or

supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

All sections of this form must be complete and accurate. Incomplete forms will be returned to applicant. The information submitted is subject to verification by IDWR or its agents.

Date	Signature	Title

Print Name

V. PROCESSING FEE

A $100.00 processing fee must be submitted for each permit application. A separate permit application and processing fee must be submitted for each injection well. Make checks payable to: Idaho Department of Water Resources.

All sections of this form must be complete and accurate. Incomplete forms will be returned to applicant. The information submitted is subject to verification by IDWR or its agents. Applications and fees can be submitted your nearest IDWR office:

IDWR Northern Region
7600 N Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
Ph: (208) 762-2800

IDWR Southern Region
650 Addison Ave., Suite 500
Twin Falls, ID 83301
Ph: (208) 736-3033

IDWR Eastern Region
900 North Skyline
Idaho Falls, ID 83402
Ph: (208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705
Ph: (208) 334-2190

IDWR State Office
322 East Front St., PO Box 83720
Boise, ID 83720-0098
Ph: (208) 287-4800.

VI. IDWR APPROVAL (to be completed by IDWR personnel)

This permit will be administered in accordance with Idaho law and applicable rules of the Idaho Department of Water Resources.

Date this _____day of _____, 20_____

Title

8/2009

UIC Program Guidance
For
Calculating Total Domestic Water Use
For Permitting a Ground-Source Heat Pump

Idaho Code (42-111 & 42-227) defines domestic water use and states that a water right is not required for domestic use, provided that the volume of water does not exceed 13,000 gallons per day. When permitting an injection well for a ground-source heat pump, the UIC Program must determine if the use of a heat pump will cause a homeowner to exceed the 13,000 gallon per day limit for a domestic water right exemption. If domestic water use is anticipated to exceed 13,000 gallons per day, the applicant must obtain a water right before the injection well permit can be issued by IDWR.

The following table should be completed to document your calculation of total domestic water use for Section II of your injection well application.

Use	**Gallons Per Day Per Person**		**Number of People**		**Total Gallons Used Per Day**
Single Family Residence	75	x		=	
Luxury Residence	150	x		=	
Use	**Gallons Per Day Per Animal**		**Number of Animals**		
Cattle	12	x		=	
Dairy Cattle	35	x		=	
Horses	12	x		=	
Mules	12	x		=	
Hogs	4	x		=	
Goats	2	x		=	
Sheep	2	x		=	
Other Livestock		x		=	
Use	**Gallons Per Day Per 100 Animals**		**Number of Animals**		
Chickens	10	x		=	
Turkeys	18	x		=	
Other Poultry		x		=	
Use	**Gallons Per Day Per 1 Acre at 9 gpm**		**Number of Acres**		
Irrigation	12,960	x		=	
Use	**Average Weekly Injection Rate (gpm)** See Page 5 Guidance – Example 1		**Minutes Per Day**		
Heat Pump		x	1440	=	
Other Uses	**Gallons Per Day**				
			Total Gallons Per Day Used		

A4. Low-Flow (<50-gpm) Heat Pump Return Flow Injection Well: Checklist for Complete Application

42-39-2a
4/2013

Permit No. _____

CHECKLIST FOR COMPLETE APPLICATION
LOW-FLOW (<50 GPM) HEAT PUMP INJECTION WELL (5A7 ONLY)

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., PO Box 83720, Boise, ID 83720-0098
Under the Provisions of Title 42, Chapter 39 of the Idaho Code

Application Section		YES	NO
IA.	Application Type	☐	☐
IB.	Legal Owner	☐	☐
IC.	Well Location	☐	☐
ID.	Well Operation	☐	☐
IE.	Well Construction Information	☐	☐
IIA.	Flow Rate from Heat Pump Contractor	☐	☐
IIB.	Square footage of structure.	☐	☐
IIC.	Domestic Uses of Water	☐	☐
IV.	Signature of Legal Owner	☐	☐
V.	$100 Processing Fee per Well	☐	☐

Notes

- Metal tag number (D-tag) shall be used as permit number on approved application.
- 3-gpm = approximate flow rate per ton of heat exchange unit (ex. 2-ton unit = 6 gpm flow rate)

Important

- Regional Office needs to send approved application to UIC program at State Office

1 of 1

B. Permit Templates

B1. Heat Pump Return Flow Injection Well

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

Permit Holder: <Contact_Name>
<Contact_Org>
<Contact_Address>
<C_City>, <C_St> <C_Zip>

Facility: <Facility_Address>
<F_City>, <F_St> <F_Zip>

Expiration Date: <Date>

Injection Well Classification: 5A7

Injection Well Location:

PLSS	Latitude/Longitude	County
<PLSS>	<Lat> N <Long> W	<County>

Well Construction Information:

Well Casing Diameter	Well Depth
<Casing_Dia> inches	<Well_Depth> feet

Injectate: Heat Exchange Return Flow

Pretreatment Method: N/A

Injection Activity:

Frequency	Maximum Average Weekly Injection Rate
<Frequency>	<Inj_Rate> gpm

Land Use in Drainage Area: N/A

Conditions of Approval:

1. This injection well is administered under IDAPA 37.03.03, Rules and Regulations for the Construction and Use of Injection Wells, and IDAPA 37.03.09, Well Construction Standards & Rules.

2. The facility owner and operator bear sole responsibility to mitigate for harm or degradation resulting from the injection activities authorized in this permit.

3. Violating the water quality standards stated in IDAPA 37.03.03.070.05, degrading the

quality of the groundwater, or impacting a beneficial use of groundwater resources through the use of this injection well is prohibited and is cause for cancellation of this permit.

4. In the event that existing or future points of diversion for beneficial use are suspected by IDWR of being contaminated by injection activities at this well, IDWR will require that injection activities at this well cease immediately. Burden of proof that injection activities at this well are not contaminating existing or future points of diversion is the responsibility of the injection well owner.

5. Approval of this permit does not authorize diversion or beneficial use of water. This permit is not a Water Right nor does approval of this permit guarantee the approval of any Water Right being sought for this well.

6. The system must be closed to the surface to prevent contamination of the injectate. A protected air vent may be installed if needed, and a sampling port is required.

7. The injectate entering this well must be restricted to heat exchange unit return water. Prior approval from the IDWR UIC Program is required for the use of additives.

8. Discharge water from the heat exchange into the well is recommended to be delivered via a drop pipe that terminates below the static water level in the well. Seasonal fluctuations in groundwater levels should be considered when determining the depth of the drop pipe to insure that the outflow end is submerged at all times. A pitless adaptor should be used to create a watertight seal between the drop pipe and conductance pipe delivering water to the well to prevent contamination of the discharge water.

9. The temperature of injected water must be maintained below 85° F. If the injectate temperature exceeds 85° F, the Department of Water Resources must be notified within 48 hours of the increased injectate temperature.

10. If use of this injection well at any injection rate is desired after the expiration date of this permit, this permit must be renewed. If at any time use of this injection well is not desired, the owner/operator must contact the IDWR UIC Program to obtain approval prior to decommissioning.

11. A well log must be submitted to IDWR within thirty (30) days of the construction of new injection wells.

12. This permit includes Attachment I – Permit Application.

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

This permit will be administered in accordance with Idaho law and applicable rules of the Idaho Department of Water Resources.

Date this _____day of _____, 20_____

_____
UIC Hydrogeologist
Manager, Groundwater Protection Section

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

ATTACHMENT I

PERMIT APPLICATION

B2. Storm Runoff Injection Well

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

Permit Holder: <Contact_Name>
<Contact_Org>
<Contact_Address>
<C_City>, <C_St> <C_Zip>

Facility: <Facility_Address>
<F_City>, <F_St> <F_Zip>

Expiration Date: <Date>

Injection Well Classification: 5D2

Injection Well Location:

PLSS	Latitude/Longitude	County
<PLSS>	<Lat> N <Long> W	<County>

Well Construction Information:

Well Casing Diameter	Well Depth
<Casing_Dia> inches	<Well_Depth> feet

Injectate: Storm Water Run-Off

Pretreatment Method: N/A

Injection Activity:

Frequency	Maximum Average Weekly Injection Rate
<Frequency>	<Inj_Rate> gpm

Land Use in Drainage Area: <Commercial, Urban, Agriculture>

Conditions of Approval:

1. This injection well is administered under IDAPA 37.03.03, Rules for the Construction and Use of Injection Wells, and IDAPA 37.03.09, Well Construction Standards Rules.

2. The facility owner and operator bear sole responsibility to mitigate for harm or degradation resulting from the injection activities authorized in this permit.

3. Violating the water quality standards stated in IDAPA 37.03.03.070.05 and IDAPA 58.01.11.200, degrading the quality of the groundwater, or impacting a beneficial use

of groundwater resources through the use of this injection well is prohibited and is cause for cancellation of this permit.

4. In the event that existing or future points of diversion for beneficial use are suspected by IDWR of being contaminated by injection activities at this well, IDWR will require that injection activities at this well cease immediately. Burden of proof that injection activities at this well are not contaminating existing or future points of diversion is the responsibility of the injection well owner. IDWR recommends periodic sampling of the injectate and nearby domestic wells to document compliance with Rules for Construction and Use of Injection Wells (IDAPA 37.03.03). Any water quality samples associated with injection activities at this well should be collected in accordance with the most recent version of the IDWR Standard Operating Procedures for Surface and Groundwater Compliance Monitoring for Injection Wells.

5. Approval of this permit does not authorize diversion or beneficial use of water. This permit is not a Water Right nor does approval of this permit guarantee the approval of any Water Right being sought for this well.

6. If use of this injection well at any injection rate is desired after the expiration date of this permit, this permit must be renewed. If at any time use of this injection well is not desired, the owner/operator must contact the IDWR UIC Program to obtain approval prior to decommissioning.

7. The surface casing and any intake pipes for this injection well must be secured at all times in a manner that protects humans and animals from accidental entrance into the well and injury.

8. The total volume of injection must not exceed <#> acre-feet in any one week. This is equivalent to an injection rate of <#> cfs for <#> hours in any seven-day period, or <#> cfs continuous flow. In any irrigation season that these injection rate limitations cannot be met, the injection well operator must notify the IDWR UIC Program and implement a groundwater quality monitoring plan for this injection well. Written approval from the IDWR UIC Program for the groundwater quality monitoring plan is required prior to implementation.

9. Approval of this permit constitutes a waiver of IDAPA 37.03.03.070.05.d.i so that this injection well can be located within the prescribed set back distance of an existing point of diversion for beneficial use.

   This waiver is contingent upon (sampling)

   This waiver is contingent upon the injectate quality meeting the MCL's listed in IDAPA 58.01.11.200 and the

   injection activities not degrading the ground water resource or impacting beneficial uses of groundwater resources.

10. If changes in the surface activities within the drainage area surrounding the injection well occur which change the character of the injected fluids, a new application for permit may be required.

11. Water quality sampling was not required at the time this permit was issued. A sampling requirement may be added as a condition of this permit at any time during this permit period or in the future if deemed necessary by IDWR.

12. At present, a water quality-sampling program will not be required for this permit period due to improved Best Management Practices with the installation of sand/oil separators on each well. The sampling program may be reinstated at any time during this permit period or in the future if the separators fail to function or if deemed necessary by IDWR.

13. The sand/oil separators on each well must have yearly inspections and maintenance to assure they are functioning properly.

14. IDWR must be notified in advance of any modification of an injection system.

15. All appropriate personnel must have yearly training in spill prevention and emergency response procedures to reduce the risk of endangerment to the groundwater resource. Such personnel must be capable of restricting access to the underground injection well in the event of a spill or emergency. IDWR must be notified immediately of any spill within the drainage area of a collection box/injection well with the potential to cause non-compliance with water quality standards at the injection wellhead.

16. This injection well is not permitted to be used for disposal of any fluid. Approval from the IDWR UIC Program must be obtained prior to use of this well.

17. This permit includes: Attachment I – Permit Application.

18. This permit is contingent upon complete adherence Idaho National Laboratory Monitoring Plan – SPERT 1 (Attachment I).

19. This permit includes: Attachment I – Idaho National Laboratory Monitoring Plan – SPERT 1; Attachment II – Permit Application.

1.

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

ATTACHMENT I

PERMIT APPLICATION

B3. Agricultural Runoff Waste Injection Well

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

Permit Holder: <Contact_Name>
<Contact_Org>
<Contact_Address>
<C_City>, <C_St> <C_Zip>

Facility: <Facility_Address>
<F_City>, <F_St> <F_Zip>

Expiration Date: <Date>

Injection Well Classification: 5F1

Injection Well Location:

PLSS	Latitude/Longitude	County
<PLSS>	<Lat> N <Long> W	<County>

Well Construction Information:

Well Casing Diameter	Well Depth
<Casing_Dia> inches	<Well_Depth> feet

Injectate: Agriculture Runoff <& Excess Irrigation Canal Water>

Pretreatment Method: N/A

Injection Activity:

Frequency	Maximum Average Weekly Injection Rate
<Frequency>	<Inj_Rate> gpm X cfs for X hours in any seven-day period - or - X cfs continuous flow (See Condition 8)

Land Use in Drainage Area: Agriculture.

Conditions of Approval:

1. This injection well is administered under IDAPA 37.03.03, Rules for the Construction and Use of Injection Wells, and IDAPA 37.03.09, Well Construction Standards Rules.

2. The facility owner and operator bear sole responsibility to mitigate for harm or

degradation resulting from the injection activities authorized in this permit.

3. Violating the water quality standards stated in IDAPA 37.03.03.070.05 and IDAPA 58.01.11.200, degrading the quality of the groundwater, or impacting a beneficial use of groundwater resources through the use of this injection well is prohibited and is cause for cancellation of this permit.

4. In the event that existing or future points of diversion for beneficial use are suspected by IDWR of being contaminated by injection activities at this well, IDWR will require that injection activities at this well cease immediately. Burden of proof that injection activities at this well are not contaminating existing or future points of diversion is the responsibility of the injection well owner. IDWR recommends periodic sampling of the injectate and nearby domestic wells to document compliance with Rules for Construction and Use of Injection Wells (IDAPA 37.03.03). Any water quality samples associated with injection activities at this well should be collected in accordance with the most recent version of the IDWR Standard Operating Procedures for Surface and Groundwater Compliance Monitoring for Injection Wells.

5. Approval of this permit does not authorize diversion or beneficial use of water. This permit is not a Water Right nor does approval of this permit guarantee the approval of any Water Right being sought for this well.

6. If use of this injection well at any injection rate is desired after the expiration date of this permit, this permit must be renewed. If at any time use of this injection well is not desired, the owner/operator must contact the IDWR UIC Program to obtain approval prior to decommissioning.

7. The surface casing and any intake pipes for this injection well must be secured at all times in a manner that protects humans and animals from accidental entrance into the well and injury.

8. The total volume of injection must not exceed <#> acre-feet in any one week. This is equivalent to an injection rate of <#> cfs for <#> hours in any seven-day period, or <#> cfs continuous flow. In any irrigation season that these injection rate limitations cannot be met, the injection well operator must notify the IDWR UIC Program and implement a groundwater quality monitoring plan for this injection well. Written approval from the IDWR UIC Program for the groundwater quality monitoring plan is required prior to implementation.

9. Water quality sampling was not required at the time this permit was issued. A sampling requirement may be added as a condition of this permit at any time during this permit period if deemed necessary by IDWR.

10. Approval of this permit constitutes a waiver of IDAPA 37.03.03.070.05.d.i so that this injection well can be located within the prescribed set back distance of an existing point of diversion for beneficial use.

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

This waiver is contingent upon (sampling)

This waiver is contingent upon the injectate quality meeting the MCL's listed in IDAPA 58.01.11.200 and the

injection activities not degrading the ground water resource or impacting beneficial uses of groundwater resources.

11. This injection well is not permitted to be used for disposal of any fluid. Approval from the IDWR UIC Program must be obtained prior to use of this well.

12. This permit includes: Attachment I – Permit Application.

This permit will be administered in accordance with Idaho law and applicable rules of the Idaho Department of Water Resources.

Date this _____day of _____, 20_____

_____
Manager, Groundwater Protection Section

State of Idaho
Department of Water Resources

Injection Well Permit No. <UIC_Number>

ATTACHMENT I

PERMIT APPLICATION

C. Injection Well Decommissioning forms

C1. Prior Authorization to Decommission an Injection Well

Form 238(4)-2
02/2014

PERMIT NUMBER _____

State of Idaho Department of Water Resources
AUTHORIZATION TO DECOMMISSION A WELL

1. WELL OWNER INFORMATION:

Date _____ Phone Number _____
Name _____
Mailing Address _____
City _____ State _____ Zip Code _____

2. WELL LOCATION:

Township: _____ Range: _____ Section: _____ _____1/4 _____1/4 _____1/4
Gov't Lot No. _____ County _____
Street Address of well site: _____
City _____ Lot ___ Block ____ Subdivision Name: _____
GPS Location: Lat: _____ Long: _____

3. TYPE OF WELL:

☐ Domestic ☐ Monitoring ☐ Irrigation ☐ Other _____
(Describe)

4. WELL INFORMATION: (Well depth, measured, casing size & static water level required)

Well Tag Number: _____
Previous Drilling Permit Number: _____
Water Right Number: _____ - _____
Well Log on File? ☐ Yes ☐ No
*Casing Size: _____ *Material: _____
Temperature: ☐ <85°F ☐ >85°F Flowing Artesian? ☐ Yes ☐ No
*Static Water Level: _____ (measured) * Well Depth _____ (measured)

5. REASON FOR ABANDONMENT OF WELL

_____
_____
_____

6. PROPOSED METHOD OF ABANDONMENT:

(This Application must be reviewed prior to commencement of abandonment)

_____
_____
_____
_____
_____

7. Drilling Company proposing abandonment _____
8. License Number _____ **Date of abandonment** _____
9. APPLICANTS SIGNATURE _____ **DATE:** _____
Title _____
(Owner, Firm Representative, Other)

Form 238(4)-2
02/2014

PERMIT NUMBER _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This application for abandonment has been reviewed by IDWR on _____/_____/_____
mm dd yy

This review does not constitute an endorsement by IDWR of the proper abandonment of this well. Pursuant to Section 42-238(12), Idaho Code, All abandonments must meet the requirements of the Administrative Rules for Well Construction Standards. **(Abandonment of this well will require the services of a well driller licensed in the State of Idaho unless a waiver has been granted.)**

_____ _____
Signature of Authorized Department Representative Title

ABANDONMENT REPORT

ABANDONMENT PROCEDURES:
Must describe all details of work preformed including perforations, sealing materials and how casing was removed.

PROCEDURE	FROM	TO	WEIGHT / VOLUME

DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with

Company Name _____ License # _____

Driller _____ Date _____

Operator _____ Date _____

Form 238(4)-2
02/2014

State of Idaho Department of Water Resources
GENERAL INSTRUCTIONS TO COMPLETE FORM 238(4)-2,
AUTHORIZATION TO ABANDON A WELL

A. Authorization form(s) must be complete. Incomplete form(s) will be returned to applicant.

B. Information provided on form(s) must be accurate. Incorrect information may invalidate authorization.

C. Abandonment must be performed by a well driller licensed in the State of Idaho per Idaho Code 42-238 unless a waiver has been granted.

D. The well must be abandoned in a manner compliant with IDAPA 37.03.09 Well Construction Standards Rules.

E. Form(s) shall be submitted to the IDWR region in which the abandonment is to occur at least seventy-two (72) hours prior to abandonment. Authorization for abandonment must be granted before abandonment work commences.

IDWR Northern Region, 7600 N Mineral Dr., Suite 100, Coeur d'Alene, ID 83815. (208) 762-2800.
IDWR Southern Region, 650 Addison Ave., Suite 500, Twin Falls, ID 83301. (208) 736-3033.
IDWR Eastern Region, 900 North Skyline, Idaho Falls, ID 83402. (208) 525-7161.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705. (208) 334-2190.

C2. Notice of Completion of Decommissioning a Well

42-39-5
02/2014

NOTICE OF COMPLETION OF DECOMMISSION FOR AN INJECTION WELL
IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., PO Box 83720, Boise, ID 83720-0098
Under the Provisions of Title 42, Chapter 39 of the Idaho Code

1. UIC No. _____

2. Name and Address of Legal Contact:

☐ Legal Owner ☐ Operator or Representative

Contact Name _____
Business Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____

3. A. Date decommission completed: _____

B. Describe method of decommission: _____

_____

_____

_____

_____

_____

Be it known that the undersigned (owner/operator) hereby submits this notice. The above information is true to the best of my knowledge.

_____ _____
Date Signature and Title

Notice(s) can be submitted to your nearest IDWR office:
IDWR Northern Region, 7600 N Mineral Dr., Suite 100, Coeur d'Alene, ID 83815. (208) 762-2800.
IDWR Southern Region, 650 Addison Ave., Suite 500, Twin Falls, ID 83301. (208) 736-3033.
IDWR Eastern Region, 900 North Skyline, Idaho Falls, ID 83402. (208) 525-7161.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705. (208) 334-2190.
IDWR State Office, 322 East Front St., PO Box 83720, Boise, ID 83720-0098. (208) 287-4800.

1 of 1

D. Other forms

D1. Completion of Construction of an Injection Well

42-39-3
02/2014

NOTICE OF COMPLETION OF CONSTRUCTION FOR AN INJECTION WELL
IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., PO Box 83720, Boise, ID 83720-0098
Under the Provisions of Title 42, Chapter 39 of the Idaho Code

1. UIC No. _____

2. Name and Address of Legal Contact:

☐ Legal Owner ☐ Operator or Representative

Contact Name _____
Business Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____

3. A. Date construction completed: _____

B. Well constructed substantially as indicated on injection well permit application or inventory : ☐Yes ☐ No

If no, describe modification: _____

C. If well is greater than 18 feet deep attach a well driller's report/well log. If well is less than or equal to 18 feet deep attach a schematic of well construction.

Be it known that the undersigned (owner/operator) hereby submits this notice. The above information is true to the best of my knowledge.

_____ _____
Date Signature and Title

Notice(s) can be submitted to you nearest IDWR office:
IDWR Northern Region, 7600 N Mineral Dr., Suite 100, Coeur d'Alene, ID 83815. (208) 762-2800.
IDWR Southern Region, 650 Addison Ave., Suite 500, Twin Falls, ID 83301. (208) 736-3033.
IDWR Eastern Region, 900 North Skyline, Idaho Falls, ID 83402. (208) 525-7161.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705. (208) 334-2190.
IDWR State Office, 322 East Front St., PO Box 83720, Boise, ID 83720-0098. (208) 287-4800.

D2. Change of Ownership

42-39-4
02/2014

NOTICE OF CHANGE IN OWNERSHIP OR OPERATOR FOR AN INJECTION WELL

IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front St., PO Box 83720, Boise, ID 83720-0098
Under the Provisions of Title 42, Chapter 39 of the Idaho Code

1. UIC No. _____

2. Name and Address of New/Current Legal Contact:

☐ Legal Owner ☐ Operator or Representative

Contact Name _____
Business Name _____
Mailing Address _____
City _____ State _____ Zip Code _____
Phone No. 1 _____ Phone No. 2 _____

3. Describe change (For ownership change indicate pervious owner and approximate date of purchase): _____

_____

_____

_____

_____

Be it known that the undersigned (owner/operator) hereby submits this notice. The above information is true to the best of my knowledge. The well owner is charged with maintaining and abandoning a well in a manner that will prevent waste and/or contamination of the groundwater. The well owner accepts all responsibility, liability, and financial obligations pertaining to the continued use, sampling requirements, and abandonment of the well.

I have received copies of the Idaho Administrative Rules for Well Construction Standards (IDAPA 37.03.09) and for the Construction and Use of Injection Wells. (IDAPA 37.03.03)

YES ☐ **NO** ☐

_____ _____
Date Signature and Title

Notice(s) can be submitted to your nearest IDWR office:
IDWR Northern Region, 7600 N Mineral Dr., Suite 100, Coeur d'Alene, ID 83815. (208) 762-2800.
IDWR Southern Region, 650 Addison Ave., Suite 500, Twin Falls, ID 83301. (208) 736-3033.
IDWR Eastern Region, 900 North Skyline, Idaho Falls, ID 83402. (208) 525-7161.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705. (208) 334-2190.
IDWR State Office, 322 East Front St., PO Box 83720, Boise, ID 83720-0098. (208) 287-4800.

D3. Injection Well Field Inspection

IDWR UIC PROGRAM
RECORD OF INSPECTION OF INJECTION WELL

UIC Number _____

Date _____ **Time** _____ **Inspector** _____

Non IDWR people present during inspection: ☐ Owner ☐ Representative

Name _____ Address _____
Telephone Number _____

Type of Inspection: ☐ Permit ☐ Renewal ☐ Routine ☐ Compliance ☐ Decommission

UIC Well Classification (based on field observation) _____

GPS Tag Number: _____ **Well Metal Tag Number:** _____

Distance to Nearest Domestic Well _____ (ft) ☐ Field Estimated ☐ Field Measured
Direction to Nearest Domestic Well _____

Well Status: ☐ Active Well ☐ Authorized Decommission ☐ Unauthorized Decommission

Well Construction:
Measured Depth to Water: _____ (ft) ☐ Unable to Measure
Measured Well Depth: _____ (ft) ☐ Unable to Measure
Well Casing: Diameter _____ (in) Stick-Up _____ (ft) ☐ Steel ☐ PVC

Treatment:
☐ Retention Pond Length _____ (ft) Width _____ (ft) Depth _____ (ft)
☐ Well Screen Description _____
☐ Other Description _____

Well actively taking fluid at time of inspection? ☐ Yes ☐ No

Description of injectate _____
_____

Constituents of Concern in Injectate

☐ Fertilizer ☐ Pesticides ☐ Herbicides ☐ Biologic
☐ Solvents ☐ Petroleum Products Other _____

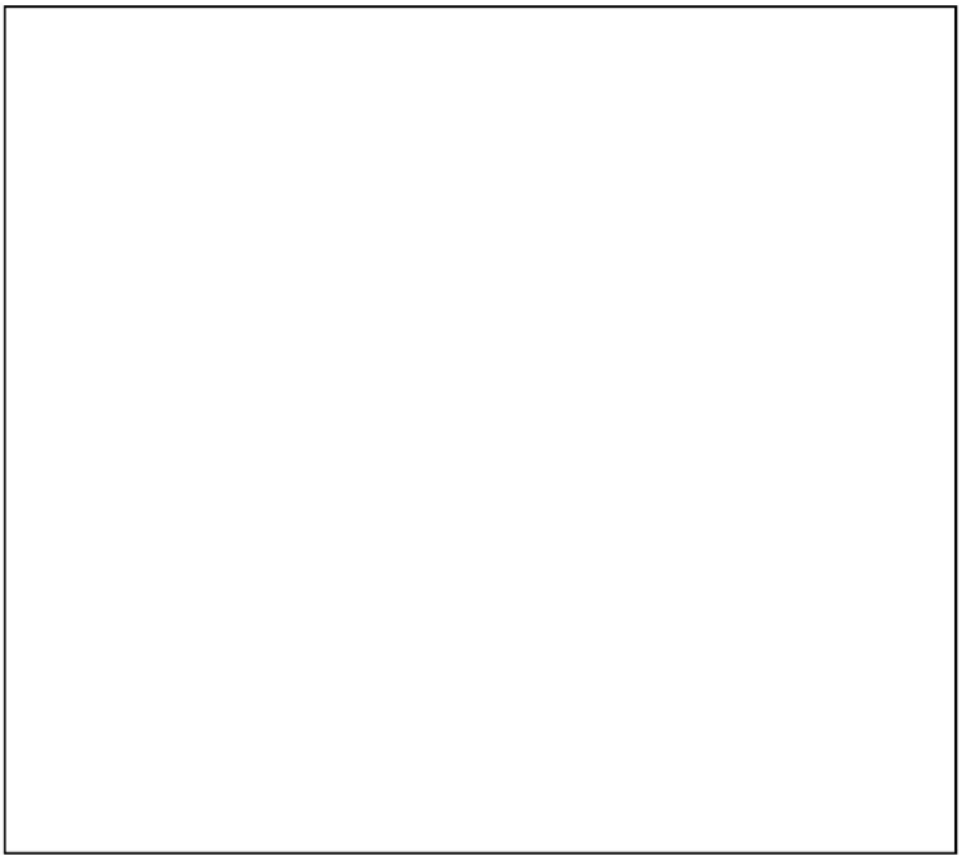
Sample taken? ☐ Yes ☐ No

Business Type: ☐ Agriculture ☐ Automotive Repair ☐ Manufacturing Other _____

CAFO or dairy within drainage area of well? ☐ Yes ☐ No

NOTES

SITE SKETCH



D4. Motor Vehicle Waste Disposal Well Inspection form

IDAHO DEPARTMENT OF WATER RESOURCES

322 East Front St., P.O. Box 83720, Boise, ID 83720-0098

UNDERGROUND INJECTION CONTROL PROGRAM
RECORD OF MOTOR VEHICLE WASTE DISPOSAL WELL INSPECTION

1. GENERAL

Site Name _____ **UIC Number** _____

Date _____ **Time** _____ **Inspector** _____

Contact ☐ Legal Owner ☐ Representative
Name _____
Owner Address _____
Well Address _____
Telephone Number -1 _____ Telephone Number -2 _____

Well Location: T. _____ R. _____ Sec. _____ QQQ _____ QQ _____ Q _____
GPS Location: Lat/Northing _____ Long./Easting _____ Projection _____

2. FACILITY DESCRIPTION

Is the well deep >18' or shallow <18' ☐ Deep ☐ Shallow ☐ Undetermined in field
Well Status: ☐ Active ☐ Temp. Abandonment ☐ Permanent Abandonment
Well / Drain-Field Description: _____

Abandonment Description: _____

Treatment / BMP Practices: _____

Well actively taking fluid at time of inspection? ☐ Yes ☐ No

Description of waste stream / source _____

Business Type: ☐ Ag. Farming ☐ Ag Processing ☐ Automotive Repair ☐ Domestic Home
☐ Manufacturing ☐ Mining ☐ Other _____
Description _____

Constituents of Concern in Waste Stream _____

3. CLOSURE CONCERNS & ISSUE(S) TO BE ADDRESSED

4. INTERAGENCY CONCERNS(s)

5. OTHER OBSERVATIONS

6. PROPOSED FOLLOW-UP ACTIONS

Sample(s) taken? Yes ☐ No☐
Photo(s) taken? Yes ☐ No☐
Photo(s) downloaded? Yes ☐ No☐ **Location (Path) of image files on server** _____

Sketch Site Diagram:
Indicate bounding properties and roads, approximate map scale and orientation/direction

Field Agent: Signature: _____ Date/Time: _____
Name/Title: _____

E. Title 42, Chapter 1701B: Enforcement Procedures

Idaho Statutes

TITLE 42
IRRIGATION AND DRAINAGE -- WATER RIGHTS AND RECLAMATION

CHAPTER 17
DEPARTMENT OF WATER RESOURCES -- WATER RESOURCE BOARD

42-1701B. ENFORCEMENT PROCEDURE -- NOTICE -- CONSENT ORDER -- CIVIL ACTION. (1) Authority to commence actions. The director of the department of water resources is authorized and may commence and pursue enforcement actions to remedy the designated violations set out in title 42, Idaho Code.

(2) Notice. When the director commences an administrative enforcement action the notice of violation shall be served upon the alleged violator in person or by certified mail. The notice of violation shall identify the alleged violation and shall specify each provision of the designated chapter, rule, permit, condition of approval or order which has been violated. The notice of violation shall state the remedy, including any demand to cease and desist, restoration and mitigation measures, and the amount of any civil penalty the director seeks for redress of the violation. Factors the director may consider in seeking the appropriate remedy include the impact of the violation and whether the violation was willful, a repeat violation for which the violator had been given a prior written warning, or the violator has otherwise refused to comply with the department's lawful directives. The notice of violation shall inform the person to whom it is directed of an opportunity to confer with the director or the director's designee in a compliance conference concerning the alleged violation.

(3) Response. A written response may be required within fourteen (14) days of the receipt of the notice of violation by the person to whom it is directed. If a recipient of a notice of violation contacts the department within fourteen (14) days of the receipt of the notice, the recipient shall be entitled to a compliance conference. The conference shall be held within twenty-one (21) days of the receipt of the notice unless a later date is agreed upon between the parties. If a compliance conference is not requested, the director may proceed with a civil enforcement action as provided in this section.

(4) Compliance conference and consent order. The compliance conference shall provide an opportunity for the recipient of a notice of violation to explain the circumstance of the alleged violation and, where appropriate, to present a proposal for remedying the damage caused by the violation and assuring future compliance. If the recipient and the director agree on a plan to remedy damage caused by the alleged violation and to assure future compliance, they may enter into a consent order formalizing their agreement. The consent order may include a provision providing for payment of any agreed civil penalty. The consent order shall be effective immediately upon signing by both parties and shall preclude a civil enforcement action for the same alleged violation. If a party does

not comply with the terms of the consent order, the director may seek and obtain in any appropriate district court, specific performance of the consent order and other relief as authorized by law. If the parties cannot agree to a consent order within fifty-six (56) days after the receipt of the notice of violation, or if the recipient does not request a compliance conference, the director may commence and prosecute a civil enforcement action in the district court in accordance with this section.

(5) Civil enforcement actions.

(a) The director may initiate a civil enforcement action through the attorney general as provided in this section. Civil enforcement actions shall be commenced and prosecuted in the district court in and for the county in which the alleged violation occurred, and may be brought against any person who is alleged to have substantially violated any provision of title 42, Idaho Code, or any rule promulgated pursuant to that title. The action may be brought to compel compliance with provisions of title 42, Idaho Code, or rules promulgated pursuant to that title. The director shall not be required to prosecute an administrative enforcement action before initiating a civil enforcement action.

(b) Nothing in this section shall preclude employees of the department designated by the director from issuing Idaho uniform citations or written administrative orders directing persons to cease and desist as authorized by law.

(c) If the person who is the subject of the notice of violation fails to cease and desist the activity or activities constituting the alleged violation within the time limits set in the notice of violation, the director may seek, by and through the attorney general, injunctive relief in the district court pending the outcome of the administrative enforcement action.

(d) In an action brought against a person for diverting water without having obtained a valid water right to do so, the director need not allege or prove that irreparable injury to the state or to other water users will occur should the preliminary injunction not be issued or that the remedy at law is inadequate, and the preliminary injunction or permanent injunction shall issue without those allegations and without that proof.

(6) Penalties.

(a) Any person determined in a judicial civil enforcement action to have substantially violated any designated provision of title 42, Idaho Code, or any rule promulgated pursuant to that title, shall be liable for a civil penalty not to exceed ten thousand dollars ($10,000) per violation or one hundred fifty dollars ($150) per day for a continuing violation, whichever is greater; except that persons determined to be in violation of section 42-351, Idaho Code, shall be liable for a civil penalty not to exceed:

(i) For nonirrigation uses, fifty dollars ($50.00) per one-tenth (0.1) cubic feet per second of water or part thereof diverted per calendar day, or fifty dollars ($50.00) per two tenths (0.2) of an acre foot of water or part thereof diverted to storage, up to a maximum penalty of fifty thousand dollars ($50,000) per year for water illegally used or diverted;

(ii) For irrigation uses, three hundred dollars ($300) annually for each acre irrigated, in whole or in part, by the illegal use or diversion.

(b) Civil penalties shall not be assessed for violations that have occurred more than twelve (12) months prior to the issuance of the notice of violation. The court shall determine the amount of the

penalty based upon the willfulness of the violation, the economic value obtained by the violator and the damage to public resources and other water right holders. A method of recovery of the penalty shall be a civil enforcement action in and for the county where the violation occurred.

(c) All civil penalties collected under this section shall be paid into the water right[s] enforcement account established pursuant to section 42-1778, Idaho Code.

(d) Parties to an administrative enforcement action may agree to a civil penalty as provided in this subsection.

(7) No action taken pursuant to this section shall relieve any person from any civil liability and damages that may exist for injury or damage resulting to others.

(8) Upon request of the director, it shall be the duty of the attorney general to institute and prosecute civil enforcement actions pursuant to this section.

History:

[42-1701B, added 1998, ch. 173, sec. 8, p. 607; am. 2003, ch. 165, sec. 2, p. 468.]

F. Memorandum of Understanding Between the Idaho Department of Water Resources and the Idaho Department of Lands Regarding Oil and Gas Production Wells and Class II Injection Wells

MEMORANDUM OF UNDERSTANDING
BETWEEN THE IDAHO DEPARTMENT OF WATER RESOURCES
AND THE IDAHO DEPARTMENT OF LANDS
RELATIVE TO OIL AND GAS MATTERS

This Memorandum of Understanding ("MOU") is entered into by the Idaho Department of Water Resources ("IDWR"), 322 E. Front St., Boise, ID 83720, and the Idaho Department of Lands ("IDL"), 300 N. 6th St., Ste. 103, Boise, ID 83706. (IDL and IDWR, collectively, "Parties")

WHEREAS, the Idaho Oil and Gas Conservation Commission regulates oil and gas exploration and production activities in a manner that conserves oil and gas resources, protects correlative rights, and protects fresh water supplies under Title 47, Chapter 3, Idaho Code, and IDAPA 20.07.02, Rules Governing Oil and Gas Conservation in the State of Idaho;

WHEREAS, IDL is the administrative agency of the Idaho Oil and Gas Conservation Commission;

WHEREAS, IDWR regulates water rights, injection wells, geothermal resources, and well construction under Title 42, Idaho Code, and the corresponding administrative rules; and

WHEREAS, IDWR and IDL agree to enter into this MOU, pursuant to Idaho Code § 67-2332, to coordinate their efforts relative to oil and gas matters, fulfill their statutory responsibilities, and efficiently serve the citizens of Idaho.

NOW THEREFORE, the Parties agree as follows:

I. OIL AND GAS WELL PERMIT APPLICATIONS

IDL will forward well permit applications to the IDWR Director for review pursuant to Idaho Code § 47-320(1). IDL will only forward applications that it deems complete based on the applicable criteria in IDAPA 20.07.02.000 *et seq*. IDWR will have fifteen (15) days from the date it receives the permit application to recommend conditions it believes are necessary to protect fresh water supplies. IDL is the point of contact for well permit applications, but IDWR is encouraged to contact the applicant for clarification, if necessary. IDWR will submit its recommended conditions to IDL in writing. IDL, at its sole discretion, will decide whether to include conditions recommended by IDWR in a well permit (§ 47-320(1)). IDL will provide a copy of well permits to IDWR.

II. CONVERSION OF EXPLORATORY BOREHOLES

The conversion of oil and gas wells, seismic, core or other exploratory holes (collectively "boreholes") no longer being used for their original purpose is governed by the requirements in IDAPA 20.07.02.320.07. If IDWR receives an application for conversion of a borehole into a fresh water, low temperature geothermal, or geothermal well, IDWR will provide a copy of the application to IDL. If the applicant to IDWR is different from the borehole owner in IDL's

records, the Parties will require updated ownership documentation from the applicant. Within 15 days of IDL's receipt of the application, IDL will provide IDWR with all information on the borehole in IDL's records that may be disclosed under the Idaho Public Records Law, Idaho Code § 9-337 through § 9-347. At IDL's discretion, the borehole information may be provided to IDWR through the Risk Based Data Management System.

III. LOSS OF RADIOACTIVE TOOL

If a Party is notified that a radioactive tool is lost in an oil or gas well, the notified Party will inform the other Party as soon as possible. The Parties will coordinate a response to the well owner and operator, if needed.

IV. NOTIFICATION OF SPILL OR RELEASE

If a Party becomes aware of a spill or release in connection with oil and gas exploration or production, the Party will contact the Idaho Emergency Operations Center at (800) 632-8000 or (208) 846-7610 and inform the other Party as soon as possible.

V. OIL AND GAS DETECTION IN WATER WELLS

If IDWR is notified that a water well contains oil and gas in quantities sufficient to cause concern or an inability to complete the well, IDWR will inform IDL as soon as possible.

VI. STATUS MEETING

The Parties shall meet to discuss matters related to this MOU whenever mutually agreed upon by the Parties.

VII. AGENCY CONTACTS AND NOTICE:

Any notice given in connection with this MOU shall be in writing and shall be delivered either by hand to the other party, by certified mail, postage prepaid, return receipt requested, to the addressee provided below, or by facsimile transmission to the other party at the facsimile number below. Notice shall be deemed delivered immediately upon personal service or facsimile transmission or forty-eight (48) hours after depositing notice or demand in the United States mail. Either party may change its address by giving written notice of the change to the other party.

TO: IDWR
Underground Injection Control Program
322 E. Front St.
Boise, ID 83720
Telephone: 208-287-4800
Fax: 208-287-6700

TO: IDL
Oil and Gas Program
300 N. 6th Street, Ste. 103
Boise, ID 83706
Telephone: 208-334-0200
Fax: 208-334-3698

IX. TERM

This MOU shall begin on the date of last signature and shall remain in force until terminated.

X. TERMINATION

Either party may terminate this MOU by providing thirty (30) days written notice to the other party..

XI. MODIFICATION

No change, modification, or waiver of any term of this MOU shall be valid unless it is in writing and signed by the authorized representatives of both Parties.

GARY SPACKMAN, DIRECTOR
Idaho Department of Water Resources

5/8/2014
Date

THOMAS M. SCHULTZ, JR., DIRECTOR
Idaho Department of Lands

1/30/14
Date